

REMARKS

Reconsideration and allowance of the subject application are respectfully requested. Claims 1-9 are pending in the present application, claim 1 is independent and has been amended for clarity.

Interview

Applicant appreciates the opportunity to discuss the meaning of the term "interaction free measurement" with the Examiner on 20 Sept. 2006.

35 USC § 112 1st and 2nd paragraph rejections

The Examiner has rejected claims 1-9 of the application under 35 USC § 112 1st paragraph, as allegedly failing to contain subject matter which "was not described in the specification in such a way as to enable one skilled in the art ...to make and/or use the invention" (Final Office Action (FOA), pg. 2) and under 35 USC § 112 2nd paragraph, as allegedly indefinite for failing to particularly point out and distinctly claim subject matter which applicant regards as the invention (FOA, pgs. 3-4).

The Examiner further states that "the scientific world is skeptical that interaction free measurements are possible..." (FOA, pg. 2).

Applicant noted that the current rejection is not based on any stated related art and thus sought an interview with the Examiner to clarify the specification's meaning of the term "interaction free measurement." During the interview Applicant directed the Examiner's attention to pages 5-7 of the specification which define an "interaction free measurement" as an "observational method" defined by probabilities of detection by a detector after a number of samples (pgs. 5-7, specification).

Applicant directs the Examiner's attention to amended claim 1, which has been amended for clarity, where the term "interaction free measurement" has been defined in

accordance with the specification pages 5-7, thus clarifying the term "interaction free measurement" in claim 1.

In view of the above, the Applicant respectfully requests reconsideration and withdrawal of the rejection under 35 USC § 112, 1st and 2nd paragraph.

CONCLUSION

In view of the above amendments and remarks, the Applicant respectfully requests reconsideration and withdrawal of the formal objections and rejections to the claims, and the rejections based on prior art. Because all claims are believed to define over prior art of record, Applicants respectfully request an early indication of allowability.

If the Examiner has any questions concerning this application, the Examiner is requested to contact the undersigned at (703) 807-3055 in the Washington D.C. metro area.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayments to Deposit Account No. 50-2456 for any additional fees required under 37 C.F.R. §§1.16 or 1.17; particularly, extension of time fees.

Very truly yours,

Canon U.S.A. Inc.
Intellectual Property Department

By /John P. Keady/
John P. Keady, PhD, Esq., MBA
Reg. No. 56,389

JPK/tt

15975 Alton Parkway
Irvine, CA 92618-3731